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3 **UNITED STATES DISTRICT COURT**
4 **EASTERN DISTRICT OF CALIFORNIA**

5 UNITED STATES OF AMERICA, *et al.*, *ex*
6 *rel.*, JOHN CHUNG,

7 Plaintiffs,

8 v.

9 THE KROGER CO., d/b/a/ KROGER,
10 KROGER FRESH FARE, KROGER
11 MARKETPLACE, *et al.*,

12 Defendants.

CASE NO. 2:20-CV-409 JAM AC

ORDER

13 **ORDER**

14 The Relator, John Chung, having filed a Voluntary Dismissal Without Prejudice of this action
15 and the United States and the Plaintiff States having filed their Notices of Consent to Dismissal,
16 pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(1), the Court rules as follows:

17 IT IS ORDERED that,

- 18 1. This action is **DISMISSED** without prejudice as to the United States;
19 2. The seal shall be **LIFTED** upon Relator's Complaint, Relator's Voluntary Dismissal
20 Without Prejudice, the United States' Notice of Consent to Dismissal, this Order, and any
21 subsequent filings in this case. All other contents of the Court's file in this action shall
22 remain under seal and not be made public.
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24 Dated: July 28, 2023

/s/ John A. Mendez

25 THE HONORABLE JOHN A. MENDEZ
26 SENIOR UNITED STATES DISTRICT JUDGE
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